

REMARKS

Claims 1, 3-23, 25-34 and 37-38 are pending in the application. By the above amendment, claims 1, 21, 22, 23 and 34 have been amended and claims 16, 20 and 38 have been canceled without prejudice. Reconsideration of the claim rejections is respectfully requested based on the above amendments and following remarks.

Claim Rejections – 35 U.S.C. § 112

Claim 1 stands rejected under 35 U.S.C. § 112, second paragraph, for the reasons set forth on page 2 of the Office Action. Claim 1 has been amended to address issues raised by the Examiner, and is thus believed to be clear and definite. Accordingly, withdrawal of the rejection is requested.

Claim Rejections – 35 U.S.C. § 103

Claims 1, 3-23, 25-34 and 37-38 stand rejected as being unpatentable over U.S. Patent No. 6,501,832 to Saylor et al. in view of U.S. Patent No. 6,859,776 to Cohen. At the very least, claims 1, 23 and 34 are believed to be patentable and non-obvious over the combination of Saylor and Cohen. Claims 1 and 23 have been amended to include the subject matter of canceled claims 16 and 20. Claim 34 has been amended to include the subject matter of canceled claim 38.

For instance, with respect to claims 1 and 23, the combination of Saylor and Cohen does not disclose or suggest *an audio indexing system for segmenting and indexing audio and multimedia data obtained from an information source, and a multimedia database for storing the indexed audio and multimedia data, wherein the conversational portal maintains, for a registered subscriber, a program comprising user-selected multimedia segments in the*

multimedia database to provide a multimedia broadcast on demand service to the registered subscriber. Further, with respect to claim 34, the combination of Saylor and Cohen does not disclose or suggest maintaining, by the conversational portal, a program for a registered subscriber, to provide a multimedia broadcast on demand service to the registered subscriber.

On pages 5-6 of the Office Action, the Examiner cites various sections of Saylor, including Col. 8, lines 14-53, Col. 18, lines 13-19, Col. 7, line 32 - Col. 8, line 13, and Col 9., lines 9-20, as disclosing the subject matters of claims 16 and 20, and Col. 26, lines 39-40 as disclosing a broadcast on demand service. However, it is respectfully submitted that the cited sections of Saylor clearly do not disclose or suggest the claimed subject matter. For example, There is nothing in the cited sections that describes broadcast on demand. Indeed, Examiner reliance on Col. 26, lines 39-40 as disclosing broadcast on demand is unclear as the cited section teaches nothing with regard to broadcast on demand, and Examiner offers no explanation in support thereof.

Therefore, for at least the above reasons, claims 1, 23 and 34 are patentable and non-obvious over Saylor and Cohen. Furthermore, all pending claims that depend from claims 1, 23 and 34 are believed to be patentable over the cited combination at least by virtue of their dependence from respective base claims 1, 23 and 34. Accordingly, withdrawal of the claim rejections is requested.

Respectfully submitted,



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